

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MOSES & SINGER LLP,

Plaintiff,

-against-

STEPHEN N. WEISS,

Defendant.

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)
) Index No.: _____
)

) **NOTICE OF MOTION**
) **FOR SUMMARY**
) **JUDGMENT IN**
) **LIEU OF COMPLAINT**
)
)

PLEASE TAKE NOTICE that, upon the Summons, dated December 5, 2019, the annexed Affirmation of Philippe Zimmerman, dated December 5, 2019, with exhibits, and Plaintiff's Memorandum of Law, dated December 5, 2019, Plaintiff, Moses & Singer LLP, will move this Court in the Motion Submission Part (Courtroom 130) of the Courthouse, located at 60 Centre Street, New York, New York, on January 30, 2020 at 9:30 AM, for summary judgment in lieu of complaint, pursuant to CPLR § 3213, in favor of Plaintiff and against Defendant, Stephen N. Weiss, in the amount of \$1,741,137.00, which is comprised of \$1,158,500 in unpaid principal and \$582,637.00 in accrued and unpaid interest through November 22, 2019, *plus per diem* interest of \$407.63 and an award of Plaintiff's costs of collection, including attorneys' fees, which are to be determined at an inquest, upon the grounds that this action is based upon an instrument for the payment of money only and that there is no defense thereto, and for such other and further relief as the Court may deem just, proper and equitable; and,

Please take further notice that, pursuant to CPLR § 2214, answering papers, if any, shall be served upon undersigned counsel at least ten (10) days before the return date of this motion. Reply or responding affidavits shall be served at least one (1) day before the return date of this motion.

Dated: New York, New York
December 5, 2019

MOSES & SINGER LLP
Plaintiff Pro Se

By: 

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